IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5429 OF 2005

Sachin Motilal Suryawanshi,
minor, through father and
natural guardian
Motilal Pitambar Suryawanshi ..Petitioner.

Vs.

State of Maharashtra & Ors. ..Respondents.

Mr.R.K.Mendadkar with Mr.H.K.Mandlik for the Petitioner.

Mr.C.R.Sonawane AGP for the Respondents.

CORAM : F.I.REBELLO AND
DR. D.Y. CHANDRACHUD,JJ.
DATED : 12TH SEPTEMBER, 2005

P.C.:

Rule. Heard forthwith.

2. The Petitioner was admitted to the First Year Engineering Degree College against the quota reserved for Scheduled Tribe. The Petitioner's contention is that he belongs to Scheduled Tribe Thakur. An application was forwarded to the Caste Validating Committee which, by an order dated 15.6.2005 has rejected the same on the ground that the certificate which was before it was not issued by the competent authority. The Committee observed that it is open to the Petitioner to obtain Caste Certificate from the competent authority and thereafter submit it to the

Scrutiny Committee.

3. Considering the above, the following directions :

i) The Petitioner to apply to the competent authority with necessary documentary evidence within 15 days from today.

ii) The competent authority, if the Petitioner is able to substantiate that he belongs to Scheduled Tribe, to issue the necessary certificate within 30 days.

iii) Thereafter, on receipt of the certificate, the Petitioner to produce the same before Respondent No.5 within 15 days thereafter.

iv) Respondent No.5 to forward the same to Respondent No.2 within one month thereafter. The concerned Scrutiny Committee thereafter to dispose of the claim within four months thereafter.

v) It is made clear that Petitioner can claim no equities if the claim is rejected.

4. Rule is accordingly made absolute. No order as

to costs.